

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Joan Kominis, individually and on behalf of all
others similarly situated,

Plaintiff,

- against -

Starbucks Corporation,

Defendant.

Case No. 1:22-cv-06673 JPC

NOTICE OF MOTION TO DISMISS
COMPLAINT PURSUANT TO
FED. R. CIV. P. 12(b)(6)

PLEASE TAKE NOTICE THAT, upon the annexed Memorandum of Law in Support of Defendant Starbucks Corporation’s Motion to Dismiss Complaint, and all of the papers and proceedings herein, Defendant Starbucks Corporation (“Defendant”), by and through its undersigned attorneys Sheppard, Mullin, Richter & Hampton LLP, shall move before the Honorable John P. Cronan, U.S.D.J., at the United States Courthouse, 500 Pearl Street, Courtroom 12D, New York, New York 10007, on a date and time to be determined by the Court, for an Order dismissing with prejudice the Complaint filed by Plaintiff Joan Kominis, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and for such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, in accordance with this Court’s Order dated September 2, 2022, Plaintiff’s opposition papers to Defendant’s motion shall be served on the undersigned on or before September 29, 2022, and Defendant’s reply papers shall be served on or before October 6, 2022.

Dated: September 15, 2022

SHEPPARD MULLIN RICHTER & HAMPTON LLP

By: /s/ Sascha Henry

Paul W. Garrity

Robert Guite (*admitted Pro Hac Vice*)

Sascha Henry (*admitted Pro Hac Vice*)

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